

ROSS I. BOOHER
TEL: (615) 742-7764
FAX: (615) 742-0450
Rbooher@bassberry.com

BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

www.bassberry.com

OTHER OFFICES:

NASHVILLE MUSIC ROW
KNOXVILLE
MEMPHIS

June 25, 2002

VIA HAND DELIVERY

Mr. K. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Re: Complaint of Michael Van Wies against CenturyTel of Ooltewah-Collegedale, Inc., TRA Docket No. 02-00058.

Dear Mr. Waddell:

Enclosed please find an original and 13 copies of a letter to Jonathan Wike submitted on behalf of CenturyTel of Ooltewah-Collegedale, Inc. for filing in the above-referenced docket. Also enclosed is an additional copy of the letter, which I would appreciate your stamping as "filed," and returning to me by way of our courier.

Should you have any questions with respect to this filing, please do not hesitate to contact me.

Very truly yours,



Ross I. Booher

RIB/cw

Enclosures

cc: Mr. Michael Van Wies
Ms. Susan Smith

ROSS I. BOOHER
TEL: (615) 742-7764
FAX: (615) 742-0450
Rboohar@bassberry.com

BASS, BERRY & SIMS PLC
A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

www.bassberry.com

OTHER OFFICES:

NASHVILLE MUSIC ROW
KNOXVILLE
MEMPHIS

June 25, 2002

VIA HAND DELIVERY

Mr. Jonathan Wike
Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Re: Complaint of Michael Van Wies against CenturyTel of Ooltewah-Collegedale, Inc., TRA Docket No. 02-00058.

Dear Mr. Wike:

Mr. Van Wies' June 23, 2002 response ("Petitioner's June 23 Response") to CenturyTel's Motion to Compel has been received. CenturyTel respectfully replies as follows:

- (1) The Petitioner, after needlessly and improperly delaying this matter and inflicting great expense on CenturyTel through his refusals even to identify his claims or bases therefor, has finally confirmed that he has abandoned all of his claims except for Claim No. 6. We request that the TRA issue a written order dismissing all of the Petitioner's abandoned claims *with prejudice*.
- (2) In his June 23, 2002 Response, Petitioner still wrongfully refuses to fully respond to CenturyTel's Request for Discovery. With the exception of finally confirming that he abandoned all but one of his frivolous claims, Petitioner has failed to provide any further discovery responses as required by TRA Rules and as requested by CenturyTel's June 14, 2002 letter. As a result, CenturyTel still seeks the relief sought in its Motion to Compel, including its request for sanctions against Petitioner.
- (3) In the event that the TRA does not dismiss Petitioner's final remaining claim with prejudice as sought in the motion to compel, CenturyTel requests that

Mr. Jonathan Wike
June 25, 2002
Page 2

the deadline for CenturyTel to file pre-filed testimony in this case be postponed until a reasonable amount of time *after*:

(a) Petitioner has filed and served complete, fully responsive responses to CenturyTel's requests for discovery; and,

(b) Petitioner has filed pre-filed testimony.

This will provide CenturyTel with a fair opportunity to consider the facts and evidence presented by the Petitioner before having to file responsive pre-filed testimony of its own. Furthermore, this proposed schedule would comport with usual procedure since the Petitioner bears the burden of proof in this case.

Please contact Dale Grimes at (615) 742-6244 or me at (615) 742-7764 if you have any questions regarding these requests.

Sincerely,



Ross I. Booher

RIB/cw

cc: Mr. Michael Van Wies
Ms. Susan Smith